



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 2
PART II—Section 2

प्राधिकार से प्रकाशित
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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन
के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

RAJYA SABHA

The following Bills were introduced in the Rajya Sabha on the 3rd March, 1984:—

I

BILL NO. II OF 1984

A Bill further to amend the Workmen's Compensation Act, 1923.

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Workmen's Compensation (Amendment) Act, 1984.

Short
title and
commence-
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

8 of 1923.

2. In section 2 of the Workmen's Compensation Act, 1923 (hereinafter referred to as the principal Act), in sub-section (1), in sub-clause (ii) of clause (n), the words "on monthly wages not exceeding one thousand rupees" shall be omitted.

Amend-
ment of
section 2.

Substitu-
tion of
new sec-
tion for
section 4.

Amount
of compen-
sation

3. For section 4 of the principal Act, the following section shall be substituted namely:—

“4. (1) Subject to the provisions of this Act, the amount of compensation shall be as follows, namely:—

- | | |
|--|--|
| (a) Where death results from the injury | <p>an amount equal to forty per cent of the monthly wages of the deceased workman multiplied by the relevant factor;</p> <p>. or</p> <p>an amount of twenty thousand rupees, whichever is more;</p> |
| (b) Where permanent total disablement result from the injury | <p>an amount equal to fifty per cent. of the monthly wages of the deceased workman multiplied by the relevant factor;</p> <p style="text-align: center;">or</p> <p>an amount of twenty-four thousand rupees,</p> <p style="text-align: center;">whichever is more;</p> |

Explanation 1. For the purposes of clause (a) and clause

(b), “relevant factor”, in relation to a workman means the factor specified in the second column of Schedule IV against the entry in the first column of that Schedule specifying the number of years which are the same as the completed years of the age of the workman on his last birthday immediately preceding the date on which the compensation fell due;

Explanation II.—Where the monthly wages of a workman exceed one thousand rupees, his monthly wages for the purposes of clause (a) and clause (b) shall be deemed to be one thousand rupees only;

- | | |
|---|--|
| (c) Where permanent partial disablement results from the injury | <p>(i) in the case of an injury specified in Part II of Schedule I, such percentage of the compensation which would have been payable in the case of permanent total disablement as is proportionate to the being the percentage of the loss of earning capacity caused by that injury, and</p> <p>(ii) in the case of an injury not specified in Schedule I, such percentage of the compensation payable in the case of permanent total disablement as is proportionate to the loss of earning capacity (as assessed by the qualified medical practitioner) permanently caused by the injury;</p> |
|---|--|

Explanation I.—Where more injuries than one are caused by the same accident, the amount of compensation payable under this head shall be aggregated but not so in any case as to exceed the amount which would have been payable if permanent total disablement had resulted from the injuries;

Explanation II.—In assessing the loss of earning capacity for the purposes of sub-clause (ii), the qualified medical practitioner shall have due regard to the percentages of loss of earning capacity in relation to different injuries specified in Schedule I:

- (d) Where temporary disablement, whether total or partial, results from the injury a half-monthly payment of the sum equivalent to twenty-five per cent. of monthly wages of the workman, to be paid in accordance with the provisions of sub-section (2).

(2) The half-monthly payment referred to in clause (d) of sub-section (1) shall be payable on the sixteenth day—

(i) From the date disablement where such disablement lasts for a period of twenty-eight days or more, or

(ii) After the expiry of a waiting period of three days from the date of disablement where such disablement lasts for a period of less than twenty-eight days; and thereafter half-monthly during the disablement or during a period of five years, whichever period is shorter:

Provided that—

(a) there shall be deducted from any lump sum or half-monthly payments to which the workman is entitled the amount of any payment or allowance which the workman has received from the employer by way of compensation during the period of disablement prior to the receipt of such lump sum or of the first half-monthly payment, as the case may be; and

(b) no half-monthly payment shall in any case exceed the amount, if any, by which half the amount of the monthly wages of the workman before the accident exceeds half the amount of such wages which he is earning after the accident;

Explanation.—Any payment or allowance which the workman has received from the employer towards his medical treatment shall not be deemed to be a payment or allowance received by him by way of compensation within the meaning of clause (a) of the proviso.

(3) On the ceasing of the disablement before the date on which any half-monthly payment falls due, there shall be payable in respect of that half-month a sum proportionate to the duration of the disablement in that half-month.

Amend-
ment
of sec-
tion 15.

4. In section 15 of the principal Act, in sub-section (3), for the words "His Majesty's Dominions or in any other foreign country", the words "in any foreign country" shall be substituted.

Amend-
ment
of sec-
tion 35.

5. In section 35 of the principal Act, in sub-section (1),—

(i) for the words "to any part of His Majesty's Dominions or to any other country", the words "to any foreign country" shall be substituted;

(ii) for the words "such part or country", the words "such foreign country" shall be substituted;

(iii) for the words "in any part of His Majesty's Dominions or in any other country", the words "in any foreign country" shall be substituted.

Substitu-
tion of
new Sche-
dule for
Sche-
dule III.

6. For Schedule III of the principal Act, the following Schedule shall be substituted, namely:—

"SCHEDULE III

(See section 3)

LIST OF OCCUPATIONAL DISEASES

S. No.	Occupational disease	Employment
(1)	(2)	(3)

PART A

- | | |
|---|---|
| 1. Infectious and parasitic diseases contracted in an occupation where there is a particular risk of contamination. | (a) All work involving exposure to health or laboratory work;
(b) All work involving exposure to veterinary work;
(c) Work relating to handling animals, animal carcasses, part of such carcasses, or merchandise which may have been contaminated by animals or animal carcasses;
(d) Other work carrying a particular risk of contamination. |
| 2. Diseases caused by work in compressed air. | All work involving exposure to the risk concerned. |
| 3. Diseases caused by lead or its toxic compounds. | All work involving exposure to the risk concerned. |
| 4. Poisoning by nitrous fumes. | All work involving exposure to the risk concerned. |
| 5. Poisoning by organ phosphorus compounds. | All work involving exposure to the risk concerned. |

PART B

- | | |
|--|--|
| 1. Diseases caused by phosphorus or its toxic compounds. | All work involving exposure to the risk concerned. |
| 2. Diseases caused by mercury or its toxic compounds. | All work involving exposure to the risk concerned. |
| 3. Diseases caused by benzene or its toxic homologues. | All work involving exposure to the risk concerned. |

(1)	(2)	(3)
4. Diseases caused by nitro and amido toxic derivatives of benzene or its homologues.		All work involving exposure to the risk concerned.
5. Diseases caused by chromium or its toxic compounds.		All work involving exposure to the risk concerned.
6. Diseases caused by arsenic or its toxic compounds.		All work involving exposure to the risk concerned.
7. Diseases caused by radioactive substances and ionising radiations.		All work involving exposure to the action of radioactive substances or ionising radiations.
8. Primary epitheliomatous cancer of the skin caused by tar, pitch, bitumen, mineral oil, anthracene, or the compounds, products or residues of these substances.		All work involving exposure to the risk concerned.
9. Diseases caused by the toxic halogen derivatives of hydrocarbons (of the aliphatic and aromatic series).		All work involving exposure to the risk concerned.
10. Diseases caused by carbon disulphide.		All work involving exposure to the risk concerned.
11. Occupational cataract due to infra-red radiations.		All work involving exposure to the risk concerned.
12. Diseases caused by manganese or its toxic compounds.		All work involving exposure to the risk concerned.
13. Skin diseases caused by physical, chemical or biological agents not included in other items.		All work involving exposure to the risk concerned.
14. Hearing impairment caused by noise.		All work involving exposure to the risk concerned.
15. Poisoning by dinitrophenol or a homologue or by substituted dinitrophenol or by the salts of such substances.		All work involving exposure to the risk concerned.
16. Diseases caused by beryllium or its toxic compounds.		All work involving exposure to the risk concerned.
17. Diseases caused by cadmium or its toxic compounds.		All work involving exposure to the risk concerned.
18. Occupational asthma caused by recognised sensitising agents inherent to the work process.		All work involving exposure to the risk concerned.
19. Diseases caused by fluorine or its toxic compounds.		All work involving exposure to the risk concerned.
20. Diseases caused by nitroglycerine or other nitroacid esters.		All work involving exposure to the risk concerned.
21. Diseases caused by alcohols and ketones.		All work involving exposure to the risk concerned.
22. Diseases caused by asphyxiants: carbon monoxide, and its toxic derivatives, hydrogen sulfide.		All work involving exposure to the risk concerned.
23. Long cancer and mesotheliomas caused by asbestos.		All work involving exposure to the risk concerned.

(1)	(2)	(3)
24. Primary neoplasm of the epithelial lining of the urinary bladder or the kidney or the ureter.		All work involving exposure to the risk concerned.

PART C

1. Pneumoconioses caused by sclerogenic mineral dust (silicosis, anthraosilicosis, asbestosis) and silico-tuberculosis provided that silicosis is an essential factor in causing the resultant incapacity or death.		All work involving exposure to the risk concerned.
2. Bagassosis		All work involving exposure to the risk concerned.
3. Bronchopulmonary diseases caused by cotton, flax hemp and sisal dust (Byssinosis).		All work involving exposure to the risk concerned.
4. Extrinsic allergic alveolitis caused by the inhalation of organic dusts.		All work involving exposure to the risk concerned.
5. Bronchopulmonary diseases caused by hard metals.		All work involving exposure to the risk concerned."

Substitution of new Schedule for Schedule IV.

7. For Schedule IV of the principal Act, the following Schedule shall be substituted, namely:—

"SCHEDULE IV

(See section 4)

Factors for working out lump sum equivalent of compensation amount in case of permanent disablement and death.

Completed years of age on the last birthday of the workman immediately preceding the date on which the compensation fell due		Factors
1	2	
not more than 16		228.54
17		227.49
18		226.38
19		225.22
20		224.00
21		222.71
22		221.37
23		219.95
24		218.47
25		216.91

1	2
26	215.28
27	213.57
28	211.79
29	209.92
30	207.98
31	203.95
32	203.85
33	201.66
34	199.40
35	197.06
36	194.64
37	192.14
38	189.56
39	186.90
40	184.17
41	181.37
42	178.49
43	175.54
44	172.52
45	169.44
46	166.29
47	163.07
48	159.80
49	156.47
50	153.09
51	149.67
52	146.20
53	142.68
54	139.13
55	135.56
56	131.95
57	128.33
58	124.70
59	121.05
60	117.41
61	113.77
62	110.14
63	106.52
64	102.93
65 or more	99.37. "

STATEMENT OF OBJECTS AND REASONS

The Workmen's Compensation Act, 1923 provides for payment of compensation to workmen (or their dependants) in case of personal injury caused by accident or certain occupational diseases arising out of and in the course of employment and resulting in disablement or death. The Act was last amended in 1976.

2. The Act at present applies to railway servants and persons employed in certain hazardous employments specified in Schedule II of the Act and drawing wages not exceeding Rs. 1000 per month. The National Commission on Labour had recommended *inter alia* that the wage limit for coverage under the Act may be removed altogether. The Law Commission of India, which had reviewed the provisions of the Act, had also made a similar recommendation. It is, therefore, now proposed to do away with the wage limit for coverage altogether. It is likely to benefit a large number of workmen who are at present drawing wages exceeding Rs. 1000 per month.

3. Section 4 of the Act provides for payment of compensation at the rates specified in Schedule IV of the Act. These rates of compensation were last revised in 1976 and there is a demand for its upward revision. Further, the amount of compensation is at present determined without reference to the age of the workman. This is not considered fair. It is, therefore, now proposed to provide for payment of compensation in terms of percentage of monthly wages linked to the age of the workman at the time of his disablement or death. The proposed revised rates of compensation are based on the rates specified in the ILO Convention concerning Minimum Standards of Social Security, except that the compensation payable in respect of those drawing wages exceeding Rs. 1000 per month is proposed to be restricted to the amount payable on the wage of Rs. 1000 per month.

4. The list of occupational diseases specified in Schedule III of the Act is proposed to be substituted by a revised list, which is based on the revised list of occupational diseases adopted by the ILO in 1980.

5. Opportunity is also, being taken to delete the reference to 'His Majesty's Dominions etc.', which is no longer relevant.

6. The Bill seeks to achieve the above objects.

NEW DELHI;
The 21st February, 1984.

VEERENDRA PATIL.

FINANCIAL MEMORANDUM

The Workmen's Compensation Act, 1923 covers a large number of persons employed by Central Government in Railways and in its various Departments such as Posts and Telegraphs, Central Public Works Department, Ordnance factories, etc.

2. Clause 2 of the Bill seeks to do away with the existing wage limit for coverage altogether. This would bring within the purview of the Act, a large number of workmen drawing wages exceeding Rs. 1000/- per month in respect of whom the employers (including the Central Government) have at present no statutory liability for payment of compensation.

3. Clause 3 seeks to introduce a new formula for calculation of compensation amount in lieu of the fixed amount of compensation specified in existing Schedule IV. The formula now proposed to be inserted will ensure payment of compensation at comparatively higher rates than the existing rates.

4. The above mentioned two proposals in their application to the workmen employed by the Central Government, will involve increased expenditure from the Consolidated Fund of India by way of payment of compensation. However, as compensation becomes payable only in the event of an employment injury resulting in disablement or death, it is not possible to estimate in advance the amount of additional expenditure involved.

5. The Bill does not involve any other expenditure whether of a recurring or non-recurring nature.

II

BILL NO. IV OF 1984

A Bill to declare the institution known as the Asiatic Society having at present its registered office in Calcutta to be an institution of national importance and to provide for certain matters connected therewith.

Be it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

Short
title and
com-
mence-
ment.

1. (1) This Act may be called the Asiatic Society Act, 1984.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Declara-
tion of
Asiatic
Society as
an institu-
tion of
national
import-
tance.

2. Whereas the late William Jones founded on the 15th day of January, 1784, an institution in Calcutta which is now known as the Asiatic Society and the objects of which are such as to make the institution one of national importance, it is hereby declared that the said Asiatic Society is an institution of national importance,

3. In this Act, unless the context otherwise requires,—

Defini-
tions.

(a) "memorandum" means the memorandum of association of the Society;

(b) "prescribed" means prescribed by rules made under this Act;

(c) "regulations" includes any rule or regulation (by whatever name called) which the Society is competent to make in the exercise of the powers conferred on it under the West Bengal Societies Registration Act, 1961, but shall not include any bye-laws or standing orders made under the regulations for the conduct of its day-to-day administration;

West
Bengal Act
XXVI,
1961.

(d) "Society" means the Asiatic Society being a society within the meaning of the West Bengal Societies Registration Act, 1961, and having its registered office in Calcutta.

West
Bengal
Act
XXVI,
1961.

4. For the purpose of enabling the Society to discharge efficiently its functions, including in particular those relating to research, literary, library, scientific and museological activities, collection of manuscripts, coins and art objects, and the publication of periodicals, books and other literature, the Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Society in each financial year such sums of money as that Government considers necessary by way of grants, loans or otherwise.

Grants,
loans,
etc., by
Central
Govern-
ment to
Society.

5. (1) The Society shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance sheet in such form as may be approved by the Comptroller and Auditor-General of India.

Audit of
accounts
of
Society.

(2) The accounts of the Society shall be audited by the Comptroller and Auditor-General of India and any expenditure incurred by him in connection with such audit shall be payable by the Society to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Society shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of the Government accounts, and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the office of the Society.

(4) The accounts of the Society as certified by the Comptroller and Auditor-General of India or any person appointed by him in this behalf together with the audit report thereof shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before each House of Parliament.

6. The Society shall furnish to the Central Government, at such time each year as may be directed, its annual report giving full account of its activities, policies and programmes during the previous year and that Government shall cause the same to be laid before each House of Parliament.

Annual
report.

Prior
approval
of Central
Govern-
ment
necessary
for
certain
action
by
Society.

7. The Society shall not, except with the previous approval of the Central Government,—

(a) alter, extend or abridge any of the purposes for which it has been established or for which it is being used immediately before the commencement of this Act, or amalgamate itself either wholly or partially with any other institution or society; or

(b) alter or amend in any manner the memorandum or regulations; or

(c) sell or otherwise dispose of any property acquired by the Society with money specifically provided for such acquisition by the Central Government:

Provided that no such approval shall be necessary in the case of any such movable property or class of movable property as may be specified by the Central Government in this behalf by general or special order; or

(d) be dissolved.

Planning
Board.

8. (1) For the purpose of advising it with respect to the planning and implementation of the developmental programmes of the Society and other matters concerning the Society, the Central Government may, by notification in the official Gazette, establish a board to be called the planning Board (Asiatic Society).

(2) The Board shall consist of a Chairman and such other members as may be appointed by the Central Government.

(3) Subject to any rules which the Central Government may make in this behalf, the Board shall have the power to regulate its own procedure.

(4) The term of office of, the procedure to be followed in the discharge of their functions by, the manner of filling casual vacancies among, the allowances, if any, payable to, and other matters concerning, the members of the Board shall be such as may be prescribed.

Commit-
tees.

9. (1) The Central Government may, by notification in the Official Gazette, constitute as many committees, as and when it considers it necessary, consisting of such number of persons as it thinks fit to appoint thereto and assign to each such committee all or any of the following duties, namely:—

(a) the preparation and submission to the Central Government, as far as possible before the commencement of each financial year, of statements showing programmes of work agreed to be undertaken by the Society during that year for which the Central Government may provide funds as well as general financial estimates in respect of such work;

(b) the settlement on broad lines of the programmes of such work.

(2) A committee constituted under sub-section (1) shall, in discharging its duties with respect to any matter under this section, have due regard to the advice, if any, tendered in respect of such matter under section 8 by the Board to the Central Government.

(3) Where the Society does not agree to undertake any work suggested by any committee referred to in sub-section (1), it shall give to the Central Government its reasons for not so agreeing.

(4) The procedure to be followed by a committee constituted under sub-section (1) in the discharge of its functions, the allowances, if any, payable to the members of such committee and other matters relating to such committee shall be such as may be prescribed.

10. (1) The Central Government may, by notification in the Official Gazette, constitute a committee consisting of such number of persons as it thinks fit to appoint thereto for the purpose of—

(a) reviewing the work done by the Society and the progress made by it;

(b) inspecting its buildings, equipment and other assets;

(c) evaluating the work done by the Society; and

(d) advising Government generally on any matter which in the opinion of the Central Government is of importance in connection with the work of the Society;

and the Committee shall submit its report thereon in such manner as the Central Government may direct.

(2) The procedure to be followed by, the allowances, if any, payable to the members of the Committee and other matters concerning the Committee shall be such as may be prescribed.

(3) The Committee shall, subject to the provisions of sub-section (4) and of any rules which the Central Government may make in this behalf, have power to regulate its own procedure.

(4) Notice shall be given in every case to the Society of the intention to cause a review, inspection or evaluation to be made, and the Society shall be entitled to appoint a representative who shall have the right to be present and be heard at such review, inspection or evaluation.

(5) The Central Government may address the President of the Society with reference to the result of such review, inspection or evaluation as disclosed in any report of the Committee referred to in sub-section (1), and the President shall communicate to the Central Government the action, if any, taken thereon.

(6) When the Central Government has, in pursuance of sub-section (5), addressed the President of the Society in connection with any matter, and the President does not within a reasonable time take action to the satisfaction of the Central Government in respect thereof, the Central Government may, after considering any explanations furnished or representations made on behalf of the Society, issue such directions as it considers necessary in respect of any of the matters dealt with in the report.

11. The Society shall be bound to afford all necessary facilities to the Board constituted under section 8 and to every committee constituted under section 9 or section 10 for the purpose of enabling them to carry out their duties.

Review of work done, inspection of assets, etc.

Society to afford facilities to Committees.

Power
to issue
direc-
tions to
the
Society.

12. (1) The Central Government may, if it is satisfied that it is necessary so to do in the public interest, issue, for reasons to be recorded and communicated to the Society, such directions as it thinks fit to the Society, and such directions may include directions requiring the Society—

(a) to amend the memorandum or to make or amend any regulation within such period as may be specified in the directions;

(b) to give priorities to the work undertaken or to be undertaken by the Society in such manner as the Central Government may think fit to specify in this behalf.

(2) Any directions issued under this section shall have effect, notwithstanding anything contained in any law for the time being in force or in the memorandum or regulations of the Society.

Power of
Central
Govern-
ment to
assume
functions
of
control.

13. (1) If, in the opinion of the Central Government,—

(i) the Society without just or reasonable cause has made default in giving effect to any direction issued under sub-section (6) of section 10 or section 12; or

(ii) the Council of the Society has exceeded or abused the powers in relation to the Society or any part thereof;

the Central Government may, by written order, direct the Society within a period to be specified in the order to show cause to the satisfaction of the Central Government against the making of any appointment referred to in sub-section (2).

(2) If, within the period fixed by any order issued under sub-section (1), cause is not shown to the satisfaction of the Central Government, the Central Government may, by order published in the Official Gazette and stating the reasons therefor, appoint one or more persons to take over the management of the Society or of any of the activities of the Society for such period not exceeding two years as may be specified in the order.

(3) During the period specified in the order issued under sub-section (2),—

(a) where the order provides for any person or persons taking over the management of the Society—

(i) all persons holding office as Members of the Council, including the President, shall be deemed to have vacated their offices as such;

(ii) the person or persons appointed under sub-section (2) to take over the management of the Society shall exercise all the powers and perform all the duties of the President or Council of the Society, whether at a meeting or otherwise, in respect of the Society;

(b) where the order provides for any person or persons taking over the management of any activities of the Society, the person or persons so appointed shall alone be entitled to exercise all the powers and perform all the duties of the President or Council in relation to those activities.

West
Bengal
Act XXVI,
1961.

14. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in the memorandum or regulations or the West Bengal Societies Registration Act, 1961 or any other law for the time being in force.

Act to
have over-
riding
effect.

15. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

Power to
make
rules.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(i) matters with respect to the procedure to be followed by the Board under sub-section (3) of section 8;

(ii) the term of office of, the procedure to be followed in the discharge of their functions by, the manner of filling casual vacancies among, the allowances, if any, payable to, and other matters concerning, the members of the Board under sub-section (4) of section 8;

(iii) the procedure to be followed by a committee in the discharge of its functions, the allowances, if any, payable to the members of the committee and other matters relating to the committee under sub-section (4) of section 9;

(iv) the procedure to be followed by, the allowances, if any, payable to, the members of the Committee and other matters concerning the Committee under sub-section (2) of section 10;

(v) any other matter which is required to be or in respect of which rules may be made under this Act.

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

The Asiatic Society, Calcutta is a society deemed to be registered under the West Bengal Societies Registration Act, 1961. It was established on the 15th January, 1784 through the exertion of the well-known Indologist William Jones who was then a puisne judge of the then Supreme Court at Fort William in Bengal. The Society has all along served as the fountainhead of various literary and scientific activities in the country. The society has a rich collection of books, manuscripts, coins and various art objects.

2. Over the years, the activities of the Society have declined and its affairs have deteriorated. Recently, the Society approached the Government for assistance and for declaring it as an institution of national importance. The Society in its meeting held on 5th December, 1983 also resolved that the Government of India be requested to declare the Asiatic Society as an institution of national importance by an Act of Parliament and that the Government of India be requested to take expeditious steps and follow up action in this regard.

3. Having regard to the objects of the Society, it is considered appropriate that the Society should be declared to be an institution of national importance. The Bill makes such a declaration and provides for the requisite financial assistance to be given to the Society and for suitable powers of control being exercised.

NEW DELHI;

SHEILA KAUL.

The 29th February, 1984.

FINANCIAL MEMORANDUM

Clause 4 of the Bill provides that the Central Government may make payments by way of grants, loans or otherwise for the purpose of enabling the Asiatic Society, Calcutta, to discharge efficiently its functions. It is estimated that for this purpose, maintenance grants of the order of Rs. 21 lakhs per annum and development grants of the order of Rs. 15 lakhs per annum would have to be made out of the Consolidated Fund of India

2. Clause 8(1) of the Bill provides for the establishment of a Planning Board. Clause 9(1) of the Bill provides for the constitution of committees by the Central Government whilst clause 10(1) of the Bill provides for the constitution of a Review Committee. These provisions involve expenditure of a recurring nature towards the allowances payable to the members thereof and also towards the incidental expenses in connection with the holding of the meetings of these bodies. It is estimated that the expenditure on this account is not likely to exceed Rs. 5 lakhs.

3. The provisions of the Bill do not involve any other expenditure of a recurring or non-recurring nature.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 15 of the Bill empowers the Central Government to make rules to carry out the provisions of the Bill. Sub-clause (2) of the said clause enumerates the matters with respect to which rules may be made. These matters, *inter alia*, relate to the procedure to be followed in the discharge of the functions by, the manner of filling casual vacancies among, the allowances, if any, payable to, and other matters concerning, the Members of the Planning Board, Committees, etc., under clauses 8, 9 and 10.

2. As these matters relate to procedure and administrative detail, the delegation of legislative power is of a normal character.

SUDARSHAN AGARWAL,
Secretary-General.